

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
Eduardo Trifoni, et al. :
Serial No.: 10/517,982 :
Filed: 12/13/2004 :
For: MEMBRANE... GENERATOR :

Hedman and Costigan
1185 Avenue of the Americas
New York, NY 10036
May 10, 2006

RENEWED RULE 47(A) PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

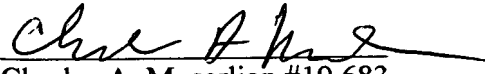
Responsive to the decision of February 23, 2006 on the Rule 47(a) petition filed in the above application, Applicants hereby renew their petition to accept the above application.

The petition was denied on 2 grounds:

- 1) that the incorrect fee was submitted and enclosed is PTO Form 2038 for the additional fee of \$70 which therefore satisfies (1) of Rule 47(a).
- 2) The second reason for denying the petition is that the PCT Legal Advisor believed that Applicants had not complied with (2) of the Rule 46(a) by showing that the complete application had been submitted to the inventors. Ms. Tuosto's declaration submitted herewith obviates this issue.

Therefore, it is believed that Applicants have clearly complied with all the requirements of Rule 47(a) and granting of the petition is requested.

Respectfully submitted,
Hedman and Costigan


Charles A. Muserlian #19,683
Attorney for Applicants
Tel. 212 302 8989

CAM:mlp
Enclosures

pct

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Marie-Louise Pinset
Marie-Louise Pinset

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April 27, 2006

DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Anna Tuosto hereby deposes and says

That she is the person who made the declaration of May 16, 2005 submitted with the petition of June 9, 2005 in the above application.

That submitted herewith are English translations of the letters of September 9, 2004 and September 10, 2004 which ask Matteo Lenardon and Eduardo Trifoni to execute the above application enclosed therewith.

That Eduardo Trifoni returned the unsigned documents in his letter of November 27, 2004 and that Matteo Lenardon never signed or returned the documents sent with the letter of September 9, 2004.

That the two inventors have refused to execute an earlier application and due to their actions in the present application, it can only be assumed that they will not execute the documents for the present application.

I hereby declare that all statements made herein of own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

By: Anna Tuosto

Anna Tuosto

Dated: April 27, 2006

Matteo Lenardon
Via Unione 2
22074 LOMAZZO (CO)

9 Settembre 2004

Our of 201 and 198
Your file 267.181 and 267.184

Caro Matteo

Devo disturbarti di nuovo per la firma dei documenti. Si tratta di due domande di brevetto: il caso 198 cosiddetto concetto Toyota e il caso 201 sul sistema iniezione acqua diretta utilizzando fori calibrati nel piatto bipolare. I documenti sono per l'estensione negli USA, Brasile e Canada (avevi già firmato i documenti per la domanda internazionale).

Ti mando una busta perché tu mi possa restituire i documenti.

Per qualsiasi dubbio, chiamami pure.

Affettuosi saluti

Dec. 21, 2004

Dear Chuck, this is my letter to one of the witness
I spoke with his ^{mother} on 11/oct/2004
I left a message on the answering machine
on Oct 19 and I spoke on Oct 20/2004
He told me he wanted to think it over
He never returned the documents -
I tried again on Dec. 20, 2004

Amato

Dott. Ing.
Eduardo Trifoni
Via Donizetti 5
80127 Napoli (NA)

10 settembre 2004

Caro Eduardo

Come d'accordo ti mando anche i documenti per il caso 201 che potrai rispedirmi assieme a quelli per il caso 198 (che ti allego nuovamente, per sicurezza).

Grazie

I contacted him on Sept. 8,
October 22 and November 19, 2004

cop. Antonio Maggiore

Gent.ma Anna Tuosto,
Ufficio Brevetti e Licenze
De Nora Tecnologie Elettrochimiche S.r.l. a Socio Unico
Via Bistolfi 35
20134 Milano

Napoli, 27/11/04

Il sottoscritto Eduardo Trifoni, nato a Pisa il 20/12/72 e residente in via Donizetti 5, Napoli, dipendente della Nuvera Fuel Cells Europe S.r.l. dal 12/06/00 all'11/06/02, Vi rimette gli assignment relativi ai brevetti WO03092091, WO03107465 privi di sottoscrizione.

Resto disponibile alla sottoscrizione degli stessi in considerazione di un equo corrispettivo.

Cordiali saluti

Eduardo Trifoni



Translation of the text :

Naples, 27 November 2004-12-20

I, Eduardo Trifoni, born in Pisa on December 20, 1972 and residing at Via Donizetti 5, Naples, employee of Nuvera Fuel Cells Europe from June 12, 2000 to June 11, 2002, return the assignments relating to patents WO03092091, WO03107465, without signature.

I am available to sign the same in consideration of an equitable compensation.

Best regards

Eduardo Trifoni